



CITY OF KIRKLAND
PLANNING AND COMMUNITY DEVELOPMENT
123 Fifth Avenue, Kirkland, WA 98033 - 425.587.3225
www.kirklandwa.gov

PERSONAL WIRELESS SERVICE FACILITY APPLICATION

This application packet is designed to obtain all the information necessary to allow the City to make a well informed decision on your application. Please refer to the attached application checklist to determine the materials which must be submitted to complete your application. All application materials are public information.

Your application will be evaluated on the basis of the information you provide, the criteria listed in the pertinent section of the Zoning Code, the Kirkland Comprehensive Plan, other City regulatory ordinances, inspection of the property, as well as public comments.

YOU ARE ENCOURAGED TO MEET WITH A PLANNER FROM THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT PRIOR TO AND DURING PROJECT DESIGN TO DISCUSS PROJECT COMPLIANCE WITH CITY REGULATIONS. YOU MUST MEET WITH A PLANNER IN A PRE-SUBMITTAL MEETING BEFORE YOUR APPLICATION WILL BE ACCEPTED FOR PROCESSING.

Copies of City documents such as the Comprehensive Plan, Zoning Ordinance, Subdivision Ordinance, and Shoreline Master Program are available at the Department of Planning and Community Development in City Hall, 123 Fifth Avenue; and the Kirkland Public Library, 308 Kirkland Avenue. To purchase the Comprehensive Plan or Zoning Ordinance, call Code Publishing Company at (206) 527 6851. The City ordinances can also be found on-line at www.kirklandwa.gov.

As a result of your application, you may be required to make improvements, such as sidewalks, curbs, street trees, or utilities undergrounding within the rights-of-way abutting your property. Please refer to Chapter 110 of the Zoning Ordinance and/or consult with a planner to determine if this is the case.

Zoning Code Chapter 117 regulates Personal Wireless Service Facilities (PWSF) in the City of Kirkland. A new or replacement PWSF may be allowed through a Planning Official decision, Process I, Process IIA, or Process IIB. The review process is determined by the type and location of the proposed PWSF, pursuant to Kirkland Zoning Code Chapter 117.40. In some cases, a SEPA checklist and/or public notice is required.

NOTE: Information provided by the Department of Planning and Community Development represents a preliminary, qualified assessment which is based on the information provided by the applicant/contact person. More detailed technical review of a specific development permit application may disclose additional substantive or procedural requirements. Furthermore, in the case of a discretionary zoning permit, the role and the authority of the City staff is advisory only. A final decision on such a permit can only be made, after public comment and/or a public hearing, by the Planning Director, Hearing Examiner, or City Council, depending upon the type of permit.

APPLICATION FORM: PERSONAL WIRELESS SERVICE FACILITY

PROCESS (Circle one) Planning Official I IIA IIB Modification
Wireless company (legal name as applicant) and address: _____

UBN: _____

PRIMARY CONTACT PERSON:

Contact person's name: _____ Daytime Phone: _____
Contact's mailing address: _____
Contact's e-mail address: _____

Note: If applicant is not property owner, he/she must be authorized as agent (see page 2)

SECONDARY CONTACT PERSON

Land owner's name and address: _____ Daytime Phone: _____
Facility owner's name and address (if applicable): _____ Daytime Phone: _____
e-mail address: _____

AN ELECTRONIC COPY OF OR A WEB LINK TO THE STAFF REPORT, MEETING AGENDAS AND THE NOTICE OF FINAL DECISION WILL BE EMAILED TO THE APPLICANT AT THE ABOVE LISTED EMAIL ADDRESS. IF YOU PREFER TO RECEIVE A PAPER COPY, THEY ARE AVAILABLE UPON REQUEST. PLEASE INDICATE IF YOU WOULD ALSO LIKE A COPY OF THESE MATERIALS TO BE SENT TO THE PROPERTY OWNER'S EMAIL ADDRESS:

YES _____ NO _____

(1) Property address (if vacant, indicate lot or tax number, access street and nearest intersection): _____

(2) Tax parcel number: _____

(3) The property is zoned: _____ and is presently used as: _____

(4) Describe permit application and the nature of project (attach additional pages if necessary):

(5) List all previous permits for the subject property. If you are applying to replace a PWSF, identify the permit that approved the PWSF to be replaced. _____

(6) Have you met with a planner prior to submitting your application? YES___ NO___

Name of planner: _____

Date of pre-submittal meeting: _____

YOUR APPLICATION WILL NOT BE COMPLETE UNTIL ALL DOCUMENTS LISTED ON THE APPLICATION CHECKLIST ARE SUBMITTED.

YOU MAY NOT BEGIN ANY ACTIVITY BASED ON THIS APPLICATION UNTIL A DECISION, INCLUDING THE RESOLUTION OF ANY APPEAL, HAS BEEN MADE. CONDITIONS OR RESTRICTIONS MAY BE PLACED ON YOUR REQUEST IF IT IS APPROVED. AFTER THE CITY HAS ACTED ON YOUR APPLICATION, YOU WILL RECEIVE FORMAL NOTICE OF THE OUTCOME. IF AN APPEAL IS FILED, YOU MAY NOT BEGIN ANY WORK UNTIL THE APPEAL IS SETTLED. YOU MAY ALSO NEED APPROVALS FROM OTHER CITY DEPARTMENTS. PLEASE CHECK THIS BEFORE BEGINNING ANY ACTIVITY.

If you suspect that your site contains a stream or wetland or is adjacent to a lake, you may need a permit from the state or federal government.

APPLICATION FORM: PERSONAL WIRELESS SERVICE FACILITY

STATEMENT OF OWNERSHIP/DESIGNATION OF AGENT

The undersigned property owners, under penalty of perjury, each state that we are all of the legal owners of the property described in Exhibit A, which is attached as page 3 of this application, and designate _____ to act as our agent with respect to this application.

AUTHORITY TO ENTER PROPERTY

I/we acknowledge that by signing this application I/we are authorizing employees or agents of the City of Kirkland to enter onto the property which is the subject of this application during the hours of 7:00 a.m. to 5:00 p.m., Monday through Friday, for the sole purpose of making any inspection of the limited area of the property which is necessary to process this application. In the event the City determines that such an inspection is necessary during a different time or day, the applicant(s) further agrees that City employees or agents may enter the property during such other times and days as necessary for such inspection upon 24 hours notice to applicant(s), which notice will be deemed received when given either verbally or in writing.

HOLD HARMLESS AGREEMENT -- READ CAREFULLY BEFORE SIGNING

The undersigned in making this application certifies under penalty of perjury, the truth and/or accuracy of all statements, designs, plans and/or specifications submitted with said application and hereby agrees to defend, pay, and save harmless the City of Kirkland, its officers, employees, and agents from any and all claims, including costs, expenses and attorney's fees incurred in investigation and defense of said claims whether real or imaginary which may be hereafter made by any person including the undersigned, his successors, assigns, employees, and agents, and arising out of reliance by the City of Kirkland, its officers, employees and agents upon any maps, designs, drawings, plans or specifications, or any factual statements, including the reasonable inferences to be drawn therefrom contained in said application or submitted along with said application.

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the above answers are true and complete to the best of my knowledge. I understand that the lead agency is relying on them to make its decision.

Applicant	Property Owner
Signature: _____	Signature: _____
Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone: _____	Telephone: _____
_____	_____
Registered Agent (Licensed in Washington State)	Facility Owner
Signature: _____	Signature: _____
Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone: _____	Telephone: _____

APPLICATION FORM: PERSONAL WIRELESS SERVICE FACILITY

EXHIBIT A: LEGAL DESCRIPTION

**APPLICATION CHECKLIST:
PERSONAL WIRELESS SERVICE FACILITY**

The following is a list of materials that must be submitted in order to have a complete application. Please do not turn in your application until all materials that apply to your proposal have been completed and checked off. A Notice of Application (if applicable) will not be issued until your application materials are complete.

RETURN THIS CHECKLIST WITH YOUR APPLICATION

	<u>REQUIRED</u>	<u>RECEIVED</u>
<u>Pre-Submittal Meeting</u>		
A meeting with a planner is required within the three months immediately prior to submittal.	<input type="checkbox"/>	<input type="checkbox"/>
<u>Application Forms and Supporting Written Materials</u>		
A completed application form and supporting affidavits (attached).	<input type="checkbox"/>	<input type="checkbox"/>
A completed and signed <u>Environmental Checklist</u> (unless exempt).	<input type="checkbox"/>	<input type="checkbox"/>
A completed application questionnaire (attached).	<input type="checkbox"/>	<input type="checkbox"/>
<u>Fees</u>		
A check payable to the City of Kirkland for the filing fee and, if applicable, Environmental Checklist review fee.	<input type="checkbox"/>	<input type="checkbox"/>
<i>NOTE:</i> Other fees, including Park Impact Fees and Road Impact Fees, may be required during the development review process.		
<u>Neighborhood Meetings</u>		
A neighborhood meeting is encouraged for a Process IIB permit. Request an instruction sheet on neighborhood meetings.	<input type="checkbox"/>	<input type="checkbox"/>
<u>Plans and Supporting Information</u>		
An electronic copy in PDF format of the following information, drawn at 1"=20' or a comparable scale. Also, submit one (1) paper copy of all plans reduced onto 11" x 17" sheets. For facilities to be located on an existing structure, some items below may be waived at the pre-submittal meeting.		
1. Scaled plan(s) clearly indicating the following items:		
a. Location, type, dimensions, height, materials and color of the proposed or existing tower or structure	<input type="checkbox"/>	<input type="checkbox"/>
b. Location, type, dimensions, height, number, color and technical specifications of proposed antennas	<input type="checkbox"/>	<input type="checkbox"/>
c. Location, type, dimensions, gross floor area, height, materials and color of proposed equipment structure. Location of exhaust ports or outlets.	<input type="checkbox"/>	<input type="checkbox"/>
d. The type of concealment technology which will be utilized.	<input type="checkbox"/>	<input type="checkbox"/>
e. Proposed location of power, telephone and other utilities serving the site.	<input type="checkbox"/>	<input type="checkbox"/>
f. Specific landscape, screening and fencing materials. Landscape plans shall include size, species, location, distance apart, plus irrigation and maintenance plans.	<input type="checkbox"/>	<input type="checkbox"/>
g. Proposed setbacks from property lines, nearest residential unit and residentially zoned properties.	<input type="checkbox"/>	<input type="checkbox"/>

	<u>REQUIRED</u>	<u>RECEIVED</u>
h. On-site and adjacent land uses and zoning	<input type="checkbox"/>	<input type="checkbox"/>
i. Adjacent roadways and proposed means of access	<input type="checkbox"/>	<input type="checkbox"/>
j. Location and extent of any streams, wetlands, or landslide hazard areas on or within 100 feet of the underlying property.	<input type="checkbox"/>	<input type="checkbox"/>
k. Tree Plan. Summary of Tree Plan II requirements is attached.	<input type="checkbox"/>	<input type="checkbox"/>
l. Existing and finished grades at 5 foot contours with the precise slope of any area in excess of 15%.	<input type="checkbox"/>	<input type="checkbox"/>
m. Lot size and lot coverage calculations for the underlying property	<input type="checkbox"/>	<input type="checkbox"/>
n. Check with the City to determine if your project requires a pedestrian easement and if it does show this easement location on your plans.	<input type="checkbox"/>	<input type="checkbox"/>
2. Dimensioned elevation drawings of the existing tower or structure showing the proposed antennas, and equipment structure (at 1/8" = 1' or comparable scale).	<input type="checkbox"/>	<input type="checkbox"/>
3. A current map and/or aerial photograph showing the location of the proposed tower.	<input type="checkbox"/>	<input type="checkbox"/>
4. Photo simulations of the proposed facility from affected residential properties and public rights-of-way. Photo of the existing facility at the time of application, if applicable. Identify all carriers using the facility.	<input type="checkbox"/>	<input type="checkbox"/>
5. Information of sufficient detail to demonstrate that the equipment structure is the minimum size necessary.	<input type="checkbox"/>	<input type="checkbox"/>
6. A notarized letter signed by the applicant stating that the personal wireless service facilities will comply with all applicable federal and state laws, including specifically FCC and FAA regulations, and all City codes.	<input type="checkbox"/>	<input type="checkbox"/>
7. A notarized letter signed by the applicant stating that the antenna usage will not interfere with other adjacent or neighboring transmission or reception communications signals.	<input type="checkbox"/>	<input type="checkbox"/>
8. Manufacturer information indicating compliance with adopted noise standards.	<input type="checkbox"/>	<input type="checkbox"/>
9. Copy of FCC license for service area or facility (whichever is applicable). The applicant, if not the personal wireless services provider, shall submit proof of a lease agreement with an FCC licensed personal wireless services provider if such provider is required to be licensed by the FCC.	<input type="checkbox"/>	<input type="checkbox"/>
10. For a new or replacement tower only, or co-location of antennas exceeding the height of an existing tower: A copy of the applicant's FAA determination.	<input type="checkbox"/>	<input type="checkbox"/>
11. For a new or replacement tower only: A report by a professional engineer (per Zoning Code Chapter 85) may be required if development will occur on or near a landslide hazard or seismic hazard area. If required, two copies are to be submitted to the Planning Department.	<input type="checkbox"/>	<input type="checkbox"/>

12. **For a new or replacement tower only:** Propagation maps showing the following information:

- | | | |
|--|--------------------------|--------------------------|
| a. Labels indicating major streets, landmarks, Kirkland City limits and location of the proposed facility and existing and future handoff sites. | <input type="checkbox"/> | <input type="checkbox"/> |
| b. Existing coverage without the proposed facility and with existing and future handoff sites. | <input type="checkbox"/> | <input type="checkbox"/> |
| c. Coverage with the proposed facility and with existing and future handoff sites. | <input type="checkbox"/> | <input type="checkbox"/> |
| d. Coverage with the proposed facility at a lesser height and with existing and future handoff sites. | <input type="checkbox"/> | <input type="checkbox"/> |

And which demonstrate that:

- | | | |
|--|--------------------------|--------------------------|
| e. The tower and antennas are required for present and future network coverage in order to satisfy the requirements of the provider's grid system. | <input type="checkbox"/> | <input type="checkbox"/> |
| f. The height requested is the minimum height necessary for the tower and antennas. | <input type="checkbox"/> | <input type="checkbox"/> |

13. **For a new or replacement tower only:** If the site is within or adjacent to a residential zone, then a study shall be provided showing which alternative locations that are not within or adjacent to a residential zone were considered and why these alternative locations are not acceptable.

14. **For a new or replacement tower only:** Copies of the following notice sent by certified mail to all other wireless providers licensed to provide service within the City of Kirkland:

(Wireless provider) is providing you with notice of our intent to apply to the City of Kirkland to construct a personal wireless service facility that would be located at (provide address or general area). In general, we plan to construct a new tower of ____ feet in height for the purpose of providing (cellular, ESMR, PCS, etc.) service in the _____ frequency range.

Please inform us whether you have any wireless facilities located within (distance based on coverage objectives) of the proposed facility that may be available for collocation opportunities, or whether you are interested in collocating on our proposed facility. Please provide us with this information within 15 business days after the date of this letter. If no response is received within that time, we will assume that you do not wish to pursue collocation. A copy of this letter is being provided to the City of Kirkland as part of our permit application package.

	REQUIRED	RECEIVED
15. For Process IIA and IIB Permits Only:		
a. Signed agreement (supplied by the City) and payment of applicable fee to initiate third party review of the application, as described in Zoning Code Section 117.60.	<input type="checkbox"/>	<input type="checkbox"/>
b. An evaluation of existing available land, and buildings and structures taller than 30 feet within ¼ mile of the proposed site. Please include the following information, at a minimum:	<input type="checkbox"/>	<input type="checkbox"/>
1. A map showing structures taller than 30 feet within ¼ mile of the proposed site and their heights.	<input type="checkbox"/>	<input type="checkbox"/>
2. Property owner name and address and structure owner name and address for each structure.	<input type="checkbox"/>	<input type="checkbox"/>
3. Dates of contacts with property owner and structure owner, and results of those contacts.	<input type="checkbox"/>	<input type="checkbox"/>
16. One (1) copy of all plans reduced onto 8½" x 11" sheets.	<input type="checkbox"/>	<input type="checkbox"/>
17. The following materials must be submitted on CD to the Planning Department for presentation at public meetings and/or permanent storage:	<input type="checkbox"/>	<input type="checkbox"/>
<ul style="list-style-type: none"> • Acceptable native electronic formats are: Adobe PDF, Word, Excel, PowerPoint, JPEG or GIF. • All memos and reports including SEPA checklists, wetland reports, geotech. reports, site plans, traffic reports, etc. should be submitted in their native electronic format or converted from their native format to Adobe PDF rather than being scanned. • Any memo/report that is created from multiple formats must be combined and submitted as one PDF document. • All plans, drawings, renderings, photographs or other graphics must be submitted in its native electronic format. CAD format is unacceptable; you must convert to Adobe PDF before submitting. • All documents must be either 8 ½ x 11 or 11 x 17 inch size. Legal sized documents will not be accepted. • Models and/or material/color boards, if prepared, must be photographed for permanent storage and submitted to the Planning Department on CD. • Converting a document from its native format to an Adobe PDF document is preferred as opposed to scanning the document. 		

Public Notice

For Process I IIA and IIB Permits:

You are responsible for obtaining and erecting public notice sign(s) on the subject property. You will need to provide for and erect public notice sign(s) not more than 10 calendar days after the Planning Official determines that the application is complete. In order to ensure that the signs are installed in a timely manner, you should contact a Sign Company and arrange for the appropriate number of signs to be made. See attached instruction sheet about Public Notice Signs. Any delay in installing the board will result in procedural deficiencies and/or delays.

Please provide the name of the Sign Company that you have contacted to make the public notice signs:



**CITY OF KIRKLAND
APPLICATION CHECKLIST:
APPLICATION QUESTIONNAIRE**

The answers you provide to the following questions will assist the City in making a decision on your application. You are strongly encouraged to provide technical data, maps, graphics and other information designed to support your answers.

1. Please explain how your proposal:

- a. Minimizes the total number of tall towers throughout the City;
- b. Minimizes visual and physical impact on the surrounding area;
- c. Uses concealment technology as described in KZC 117.65.3 AND 117.70.8.
- d. Encourages shared use and co-location;
- e. Avoids potential damage to adjacent properties.
- f. Is architecturally compatible with the surrounding buildings and land uses or otherwise integrated, through location and design, to blend in with the existing characteristics of the site.

2. For New or Replacement Tower Only:

Pursuant to KZC 117.40, unless the applicant has demonstrated to the satisfaction of the City that it has made a good faith effort to mount the antenna on an existing structure, the City may deny the application to construct a new personal wireless service tower.

- a. What efforts have been made to locate your proposed facility on an existing building, collocate on an existing tower, or on a proposed tower to be constructed by another provider?
- b. What modifications to your proposed antenna configuration, equipment structure and/or coverage would need to be made to allow for location of your proposed facility on an existing building, collocation on an existing tower, or on a proposed tower to be constructed by another provider?

3. For Process IIB Permit for New Facility or Replacement Tower in Residential Zone Only:

- a. Why must the proposed facility must be located in a residential zone?
- b. What are the impacts on your system if you cannot locate in a residential zone?
- c. What efforts have been made to locate the facility in a non-residential zone?

4. For a Subsequent or Minor Modification:

- a. Describe why the proposed modification will not substantially change the PWSF.
- b. Describe why there will not be any substantial changes in the impacts on the neighborhood or the City as a result of the change.